

**APPLICATION FOR
UDO FLOODWAY FRINGE OR NON-ENCROACHMENT AREA FRINGE
DEVELOPMENT/FILL REQUIRING GOVERNING BODY APPROVAL**

**Unified Development Ordinance Section 8.4.4D – Development in Special Flood Hazard
Area: Fill or Development in the Floodway Fringe or Non-Encroachment Area Fringe
Requiring Governing Board Approval**

Please note that proposed development/fill as allowed under Sec. 8.4.4C.3, in the floodway or non-encroachment area, requires a separate application and approval by DRB.

8.4.4D.2. “Fill or development (e.g., floodproofing or elevation by design) in the floodway fringe, non-encroachment area fringe, or Areas of Shallow Flooding (Zone AO) that is not authorized above is not permitted unless it is in support of otherwise permissible uses and authorized by a major special use permit issued under Sec. 3.9, Special Use Permit, and provided that the appropriate governing body finds that:

- a. The proposed fill or development provides for a better balance between overall efficiency of the site design, and improved conservation elsewhere on the site than would be possible without intrusion into the floodway fringe, non-encroachment area fringe, or Areas of Shallow Flooding (Zone AO); and
- b. The proposed fill or development represents the minimum amount of floodway fringe, non-encroachment area fringe, or Areas of Shallow Flooding (Zone AO) intrusion to achieve this better balance.

***Commentary:** Intrusion within the floodway fringe or non-encroachment area fringe may allow preservation of other significant resources on the site, and the governing body is empowered to review the balancing of these two concepts.”*

Case _____

Project Name: _____

Applicant: _____

PIN _____

What is the nature of the proposed development within the floodway fringe or non-encroachment area fringe?

What is the total area of the site within the floodway fringe or non-encroachment area fringe?
Acres = _____ Square Feet = _____

What is the area and percentage of existing floodway fringe or non-encroachment area fringe previously filled or developed or previously approved for fill or development on site, if any?

Area of fill = _____ Percentage of fill = _____

Area of development =_____ Percentage of development =_____

What is the area and percentage of floodway fringe or non-encroachment area fringe to be filled or developed on site?

Area of fill = _____ Percentage of fill = _____

Area of development =_____ Percentage of development =_____

Provide a separate, written narrative describing how the request fulfils the required findings in Sec. 8.4.4D2.a and b above.

Attach to this application any additional supporting documentation to be considered by the DRB in their deliberation of this request. A recommendation will be made by DRB to the governing body as part of the major site plan and major special use permit.

A separate major special use permit application must also be filed and in process prior to the DRB meeting. The appropriate governing body is the final approving authority for the major special use permit and major site plan.

I certify that all of the information presented by me in this application is accurate to the best of my knowledge, information, and belief.

Applicant Signature Date

The Development Review Board at their meeting on _____ after reviewing this application and supporting documentation has recommended approval /deferred action/ recommended denial of the request for filling ____% (_____ acres) and developing ____% (_____ acres) of the floodway fringe or non-encroachment area fringe for the following use _____. In making this determination, the Board based their decision on the following factors: The proposed uses are designed to minimize clearing, grading, erosion and water quality degradation and

Required Conditions:

1. Floodplain development permit shall be approved prior to commencement of construction.
2. Site to be constructed in conformance with the approved site plan.
3. As-built drawings to be submitted and approved prior to Certificate of Compliance and final approval.
4. _____

Clerk to the Development Review Board Date

The City Council/Board of Commissioners at their meeting on _____ after reviewing this application and supporting documentation has approved /deferred action/denied the request for filling _____% (_____ acres) and developing _____% (_____ acres) of the floodway fringe or non-encroachment area fringe for the following use _____ . In making this determination, the Council/Board made the following findings: The proposed uses are designed to minimize clearing, grading, erosion and water quality degradation and

Required Conditions:

1. Floodplain development permit shall be approved prior to commencement of construction.
2. Site to be constructed in conformance with the approved site plan.
3. As-built drawings to be submitted and approved prior to Certificate of Compliance and final approval.
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Planning Director

Date